

Claim 59

Claim 59, as amended, recites:

59. An online system for a service provider to enable cost-sharing of a host subscription fee for a client's use of a hosted enterprise solution in an online collaboration community...comprises:

an executable enterprise solution, implemented in an Internet enabled system, comprising one or more modules configured to:

...

track each partner in the collaboration community who pays a subscriber subscription fee for the partner's use of the hosted enterprise solution as part of being in the collaboration community, the partner paying the subscriber subscription fee becoming a subscriber of the hosted enterprise solution;

calculate a value based on applying a pre-determined function to the subscriber subscription fee paid by one or more partners, wherein the value represents a modification to the host subscription fee for the client for using the hosted enterprise solution;

track each partner in the collaboration community who uses the hosted enterprise solution as part of being in the collaboration community but is not obliged to pay the subscriber subscription fee for the partner's own use of the hosted enterprise solution and thereby does not contribute to the value;

update relevant information that affects the client's host subscription fee based at least in part on the value;

provide the relevant information that affects the host subscription fee to the client; and

allow the client to manage the host subscription fee through the use of the Internet enabled system. (Emphasis added.)

Claim 59 is patentable over Shorter at least by reciting "identify each partner in the collaboration community who uses the hosted enterprise solution as part of being in the collaboration community but is not obliged to pay the subscriber subscription fee for the partner's own use of the hosted enterprise solution and thereby does not contribute to the value." For the same reasons stated above with reference to claim 38, Shorter does not teach or suggest allowing a *non-subscriber* to *use* the service provided by the service provider to communicate with the "sponsor". In accordance with the claimed system of claim 59, a client pays a host subscription fee for using a hosted enterprise solution to communicate with its collaboration partners who may or may not be subscribers. The client and the non-subscriber partner are able to continue to communicate using the hosted enterprise solution. For the reasons stated above, claim 59 is patentable over Shorter.

Claims 62-69, 71-72, 74-75, 78-83 and 85-87

Claims 62-69, 71-72, 74-75, 78-83 and 85-87, dependent upon claim 59 are patentable at least for the same reasons that claim 59 is patentable.

For the above reasons, claims 38 and 59 and their associated dependent claims are patentable over Shorter. Withdrawal of the §103(a) rejections of these claims is respectfully requested.

New Claims 98-111

New claims 98-110, dependent upon claim 38, are patentable at least for the same reasons that claim 38 is patentable.

New claim 111, dependent upon claim 59, is patentable at least for the same reasons that claim 59 is patentable.

CONCLUSION

After the present amendment, claims 38, 40-42, 44-46, 48-51 and 56-57, 59, 62-69, 71-72, 74-75, 78-83, 85-87 and 98-111 are pending in the case. For the reasons stated above, the application is in condition for allowance and passage of the case to allowance is respectfully requested. If the Examiner would like to discuss any aspect of this application, the Examiner is invited to contact the undersigned at (408) 382-0480.

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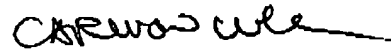
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September 23, 2005
Date of Signature

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